

ORDINANCE NO. 3916

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE MESQUITE COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mesquite has a long history of comprehensive planning, beginning with the adoption of the 1960 Comprehensive Plan; and

WHEREAS, the last update to the Comprehensive Plan was completed in January 2004, and after providing an opportunity for all interested parties to be heard, the Planning and Zoning Commission and City Council of the City of Mesquite approved the update in the form of the *Mesquite Development Guide*; and

WHEREAS, the *Mesquite Development Guide*, as the primary compilation of the City's land use and development policies, when used in conjunction with various sub-area plans and a transportation element contained in the *Mesquite Thoroughfare Plan*, provides the City staff, Planning and Zoning Commission, and City Council with a complete long-range plan for the growth and development of the City and its extraterritorial jurisdiction; and

WHEREAS, on November 26, 2007, following a public hearing, the Planning and Zoning Commission voted to affirm that the *Mesquite Development Guide* and its companion documents constitute the Mesquite Comprehensive Plan ("Plan") for the City of Mesquite; and

WHEREAS, it is necessary and proper for the City Council to adopt the Plan by ordinance in accordance with Chapter 213 of the Texas Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That in the interest of promoting sound development and the public health, safety and welfare of the City of Mesquite ("City"), the Mesquite Comprehensive Plan ("Plan") be and the same is hereby adopted as the official compilation of the City's land use and development policies.

SECTION 2. That the Director of Community Development shall administer the Zoning Ordinance and other development regulations of the City in a manner generally consistent with the policies of the Plan and shall initiate concurrent amendments to the Plan and Zoning Ordinance as conditions warrant.

SECTION 3. That pursuant to the authority provided in the charter and ordinances of the City, the Planning and Zoning Commission shall periodically review the land use assumptions, changing growth patterns and planning principles that provide the foundation for the policies contained in the Plan and shall recommend such amendments as it deems appropriate for the purpose of keeping the Plan relevant and useful as a guide for the growth, revitalization and renewal of the City.

SECTION 4. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.


SECTION 6. That the present ordinances of the City of Mesquite are inadequate to provide for the proper protection of the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of December, 2007.



John Monaco
Mayor

ATTEST:



Judy Wornack
City Secretary

APPROVED:



B. J. Smith
City Attorney